

DELEGATION OF AUTHORITY

DATE: 8-15-17

CLEAN AIR ACT

7-46. Noncompliance Penalty: Review of Actual Expenditures and Adjustment of the Penalty

1. PURPOSE AND AUTHORITY.

A. Purpose. To redelegate the authorities contained in Delegation 7-46 issued by EPA Headquarters on January 18, 2017.

B. Authority. Pursuant to regulations promulgated under the noncompliance penalty section of Section 120 of the Clean Air Act (CAA):

- a. to adjust and re-adjust the amount of the penalty assessed or the payment scheduled for the purpose of meeting requirements of that Section; and
- b. to, within 180 days of the source coming into compliance, either reimburse it for any overpayment or assess and collect an additional payment for any underpayment of a noncompliance penalty in accordance with the CAA.

2. TO WHOM REDELEGATED.

A. The Director, Office of Environmental Stewardship (OES).

3. REDELEGATION AUTHORITY.

A. These authorities may be redelegated to the Branch Chief level, and no further.

B. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

4. LIMITATIONS.

A. Prior to exercising this authority, the Director, OES must consult with the Regional Administrator (RA) and the Assistant Administrator (AA) for the Office of Enforcement and Compliance Assurance (OECA).

B. The RA and the AA for OECA may waive, in writing, the consultation requirement.

C. This authority may not be redelegated without the concurrence of the Regional Directives Officer, Human Resources Office, Office of Administration and Resource Management.

ENVIRONMENTAL PROTECTION AGENCY
REGION 1 - BOSTON

CLASS. NO.: 1200
DELEGATION NO.: 7-46

DELEGATION OF AUTHORITY

DATE: 8-15-17

D. The AA for OECA may exercise these authorities in multiregional cases or in cases of national significance.

E. The AA for OECA must notify any affected RA prior to exercising any of these authorities.

5. ADDITIONAL REFERENCES. Section 120(b)(8) and (9) and 120(d)(4) of the CAA.

6. SUPERSESSION. None.



Deborah A. Szaro
Acting Regional Administrator

8/15/17
Date